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10 Co-Counsel for Plaintiffs, American Airlines Flow-Thru  
11 Pilots Coalition, Gregory R. Cordes, Dru Marquardt,  
Doug Poulton, Stephan Robson and Philip Valente III

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AMERICAN AIRLINES FLOW-THRU PILOTS COALITION, et al.,

Plaintiffs,

V.

ALLIED PILOTS ASSOCIATION et  
al

## Defendants.

Case No.: 3:18-cv-03682-RS

**STIPULATION TO CONTINUE  
HEARING DATE ON DEFENDANT  
APA'S MOTION TO DISMISS  
PURSUANT TO FRCP RULES  
12(B)(5) AND 12(B)(6) AND TO  
EXTEND THE BRIEFING  
SCHEDULE RE SAID MOTION**

The undersigned parties hereby stipulate, and respectfully request the Court to order, that the schedule for briefing and hearing the motion to dismiss filed by

1 Defendant Allied Pilots Association (“APA”) be continued as set forth below, due  
2 to the recent fires in Southern California. Good cause for such an extension exists  
3 for the following reasons:  
4

5 On October 17, 2019, Defendant APA filed its Motion to Dismiss the  
6 complaint in this matter pursuant to Federal Rules of Civil Procedure 12(b)(5)  
7 and 12(b)(6).  
8

9 On October 28, 2019, at 2.30 a.m., both lead counsel for Plaintiffs,  
10 Timothy D. McGonigle and George Braunstein, were ordered to evacuate  
11 themselves and their families from their homes due to the Getty Fire. Counsel  
12 complied with the evacuation orders and relocated with their personal belongings  
13 and important papers to relative’s homes outside of the evacuation area. Those  
14 evacuation orders have yet to be lifted. Plaintiffs’ counsel Clark Braunstein’s  
15 property, which was under development on North Tigertail Road in Los Angeles,  
16 was also destroyed during the initial outbreak of the fire;;  
17

18 Due to delays and displacement imposed by reason of the evacuations  
19 ordered in connection with the October 2019 Getty Fire, the parties in and  
20 through counsel hereby stipulate to continue, and request the Court for an order  
21 continuing, the hearing on Defendant APA’s Motion to Dismiss for one week,  
22 from December 5, 2019 to December 12, 2019 at 1:30 p.m., in Courtroom 3 --  
23  
24 17<sup>th</sup> Floor.  
25  
26  
27  
28

1                   The parties further stipulate to continuing, and request the Court for an  
2 order continuing, the briefing due dates on the foregoing motion as follows: the  
3 Opposition to the Motion shall be continued from November 1, 2019 to  
4 November 8, 2019, and the Reply in Support of the Motion shall be continued  
5 from November 8, 2019 to November 22, 2019.

6  
7                   Respectfully Submitted,  
8

9                   DATED: October 30, 2019

10                   TIMOTHY D. McGONIGLE PROF. CORP.

11                   Timothy D. McGonigle

12                   By: /s/ Timothy D. McGonigle

13                   Timothy D. McGonigle

14                   BRAUNSTEIN & BRAUSTEIN, P.C.

15                   By: /s/ Clark Anthony Braunstein

16                   Clark Anthony Braunstein

17                   Attorneys for Plaintiffs, American Airlines

18                   Flow-Thru Pilots Coalition, Gregory R. Cordes,

19                   Dru Marquardt, Doug Poulton, Stephan Robson and Philip Valente III

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By: /s/ Jeffrey B. Demain  
Jeffrey B. Demain

Attorneys for Defendant Allied Pilots Association

## ORDER

Based on the foregoing stipulation of counsel, and GOOD CAUSE appearing to do so, the Court hereby makes the following Order:

The hearing on Defendant APA's Motion to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(5) and 12(b)(6) is continued for one week, from December 5, 2019 to December 12, 2019 at 1:30 p.m., in Courtroom 3 -- 17<sup>th</sup> Floor;

It is further ordered that the Plaintiffs' Opposition to the Motion must be filed no later than November 8, 2019. Any Reply Brief must be filed no later than November 22, 2019.

Dated: 10/30/19

  
United States District Court Judge